

**REMARKS**

Entry of the foregoing, reexamination and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 112, are respectfully requested.

By the present amendment, the specification has been amended to insert an abstract, on a separate sheet, as required by the Examiner. Moreover, claims 1-2, 6-9 and 12-15 have been amended to further clarify applicants invention and claims 3, 4 and 21 have been canceled without prejudice or disclaimer to the subject matter disclosed therein. Additionally, new claims 22-30 have been added. Support for the present amendments can be found throughout the subject application. Thus, no new matter has been added.

Turning now to the Official Action, the Examiner has rejected claims 1, 3, 4 and 6-8 under 35 U.S.C. § 102(b) as being anticipated by Slootstra et al., on the grounds that Slootstra discloses the tripeptide, Phe-Glu-Gly. This rejection is respectfully traversed.

To expedite prosecution in the present application, and not to acquiesce to the Examiner's rejection, claims 3 and 4 have been canceled and claims 1 and 6 have been amended to exclude the tripeptide Phe-Glu-Gly. It is respectfully submitted that the claims, as amended, are patentable over the cited reference. Therefore, withdrawal of this rejection is respectfully requested.

Claims 1, 3, 4 and 6-8 have also been rejected under 35 U.S.C. § 102(b) as being anticipated by Wilkes et al., on the grounds that Wilkes discloses the tripeptide, Phe-Ala-Gly and the tetrapeptide, Phe-Ala-Gly-Gly. This rejection is also respectfully traversed.

In order to expedite prosecution in the present application, and not to acquiesce to the Examiner's rejection, claim 1 has been amended to exclude the cited tripeptide and tetrapeptide and claims 3 and 4 have been canceled. Further, it is respectfully submitted that claim 6 is not anticipated by Wilkes et al. since claim 6 relates to peptides in which the second amino acid is Glu. Thus, the cited reference fails to teach the subject matter of claim 6 is respectfully that the claims, as amended, are patentable over the cited reference. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

Claims 1, 3, 4, 6, 9, 10 and 21 have been rejected under 35 U.S.C. § 103 as purportedly being obvious over Wilkes et al. in view of Grant. This rejection is also traversed.

As discussed above, the claims as amended are patentable over Wilkes et al. and it is respectfully submitted that substituting a D amino acid, as taught by Grant, for an amino acid of a peptide taught by Wilkes et al., would not lead one skilled in the art to any of the peptides of the amended claims. It is respectfully submitted that the amended claims are patentable over Wilkes in view of Grant.

The Examiner has noted that claim 11 is allowed and that claims 2, 5 and 12 to 15 would be allowable if rewritten in independent form. Claims 2, 5 and 12 to 15 have been so amended and it is respectfully submitted that these claims are now allowable.

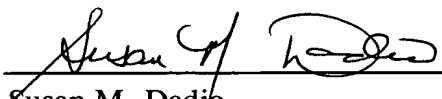
In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

Application Serial No. 09/051,395  
Attorney's Docket No. 024916-006

In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Susan M. Dadio  
Registration No. 30,427

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: June 30, 1999